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Mr. Miller  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) Case No. 2:21cr77-WBS  
11 )  
Plaintiff, ) **STIPULATION AND ORDER TO CONTINUE**  
12 ) **STATUS CONFERENCE AND EXCLUDE TIME**  
vs. )  
13 ) Date: January 31, 2022  
JAMES DEAN MILLER, ) Time: 9:00 a.m.  
14 ) Judge: Hon. William B. Shubb  
Defendant. )  
15 )

16 IT IS HEREBY STIPULATED and agreed by and between United States Attorney  
17 Phillip A. Talbert, through Assistant United States Attorney Denise N. Yasinow, counsel for  
18 Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender Hootan  
19 Baigmohammadi, counsel for Defendant James Dean Miller, that the status hearing currently set  
20 for January 31, 2022 at 9:00 be continued to April 11, 2022 at 9:00 a.m.

21 The parties specifically stipulate as follows:

- 22 1. By previous order, this matter was set for a status on January 31, 2022 at 9:00  
23 a.m.  
24 2. Mr. Miller now moves to continue the status conference to April 11, 2022 at 9:00  
25 a.m.  
26 3. The government has produced 248 pages of non-contraband discovery and made  
27 the seized electronic evidence available for defense inspection.  
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- 1           4.       The defense requires additional time to review the discovery, investigate and
- 2                   research possible defenses, research potential pretrial motions, consult with Mr.
- 3                   Miller, explore potential resolutions to the case, and otherwise prepare for trial.
- 4           5.       Defense counsel believes that failure to grant the requested continuance would
- 5                   deny him the reasonable time necessary for effective preparation, taking into
- 6                   account the exercise of due diligence.
- 7           6.       The government does not object to the continuance.
- 8           7.       For the purpose of computing time under 18 U.S.C. § 3161 *et seq.* (Speedy Trial
- 9                   Act), the parties request that the time period between January 31, 2022 and April
- 10                  11, 2022, inclusive, be deemed excludable pursuant to 18 U.S.C. §
- 11                  3161(h)(7)(B)(iv) (Local Code T4), because it would result from a continuance
- 12                  granted by the Court at the defense's request, based on a finding that the ends of
- 13                  justice served by granting the continuance outweighs the best interest of the
- 14                  public and Mr. Miller in a speedy trial.

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Respectfully submitted,

HEATHER E. WILLIAMS  
Federal Defender

Date: January 20, 2022

/s/ Hootan Baigmohammadi  
HOOTAN BAIGMOHAMMADI  
Assistant Federal Defender  
Attorneys for Defendant  
Mr. Miller

Date: January 20, 2022

PHILLIP A. TALBERT  
United States Attorney


/s/ Denise N. Yasinow  
Denise N. Yasinow  
Assistant United States Attorney  
Attorneys for Plaintiff

**ORDER**

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

Dated: January 24, 2022

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE